

1-1 By: Guillen (Senate Sponsor - Rodríguez) H.B. No. 1724
 1-2 (In the Senate - Received from the House May 12, 2017;
 1-3 May 12, 2017, read first time and referred to Committee on
 1-4 Agriculture, Water & Rural Affairs; May 18, 2017, reported
 1-5 favorably by the following vote: Yeas 5, Nays 0; May 18, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the establishment of the commercial license buyback
 1-19 account managed by the Parks and Wildlife Department.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 11.032(b), Parks and Wildlife Code, is
 1-22 amended to read as follows:

1-23 (b) The department shall deposit to the credit of the game,
 1-24 fish, and water safety account all revenue, less allowable costs,
 1-25 from the following sources:

1-26 (1) all types of fishing licenses and stamps and
 1-27 shrimping licenses [~~except as provided by Section 77.120~~];

1-28 (2) all types of hunting licenses and stamps;

1-29 (3) trapping licenses and other licenses relating to
 1-30 the taking, propagation, and sale of fur-bearing animals or their
 1-31 pelts;

1-32 (4) sale of marl, sand, gravel, shell, and mudshell;

1-33 (5) oyster bed rentals and permits;

1-34 (6) federal funds received for fish and wildlife
 1-35 research, management, development and conservation, resource
 1-36 protection, and law enforcement, unless the funds are received for
 1-37 the specific purposes of Subchapter F, Chapter 77;

1-38 (7) sale of property, less advertising costs,
 1-39 purchased from this account or a special fund or account that is now
 1-40 part of this account;

1-41 (8) fines and penalties collected for violations of a
 1-42 law pertaining to the protection and conservation of wild birds,
 1-43 wild fowl, wild animals, fish, shrimp, oysters, game birds and
 1-44 animals, fur-bearing animals, alligators, and any other wildlife
 1-45 resources of this state;

1-46 (9) sale of rough fish by the department;

1-47 (10) fees for importation permits;

1-48 (11) fees from supplying fish for or placing fish in
 1-49 water located on private property;

1-50 (12) sale of seized pelts;

1-51 (13) sale or lease of grazing rights to and the
 1-52 products from game preserves, sanctuaries, and management areas;

1-53 (14) contracts for the removal of fur-bearing animals
 1-54 and reptiles from wildlife management areas;

1-55 (15) vessel registration fees;

1-56 (16) vessel manufacturer or dealer licensing fees;

1-57 (17) fines or penalties imposed by a court for
 1-58 violation of water safety laws contained in Chapter 31 of this code;

1-59 (18) alligator hunter's or alligator buyer's licenses;

1-60 (19) sale of alligators or any part of an alligator by
 1-61 the department;

2-1 (20) fees and revenue collected under Section
 2-2 11.027(b) or (c) of this code that are associated with the
 2-3 conservation of fish and wildlife;

2-4 (21) any other source provided by law; and

2-5 (22) vessel and outboard motor titling fees.

2-6 SECTION 2. Subchapter B, Chapter 47, Parks and Wildlife
 2-7 Code, is amended by adding Section 47.041 to read as follows:

2-8 Sec. 47.041. COMMERCIAL LICENSE BUYBACK SUBACCOUNT. (a)
 2-9 The commercial license buyback subaccount is a subaccount in the
 2-10 game, fish, and water safety account. The subaccount consists of
 2-11 money deposited to the subaccount under this section.

2-12 (b) The department shall deposit to the credit of the
 2-13 commercial license buyback subaccount revenue from the following
 2-14 sources:

2-15 (1) revenue set aside under Section 47.081(d);

2-16 (2) revenue set aside under Section 78.111(d);

2-17 (3) a fee collected under Section 77.115;

2-18 (4) \$25 of each wholesale fish dealer's license issued
 2-19 under Section 47.009;

2-20 (5) \$25 of each wholesale truck dealer's fish license
 2-21 issued under Section 47.010;

2-22 (6) \$6 of each retail fish dealer's license issued
 2-23 under Section 47.011;

2-24 (7) \$11 of each retail dealer's truck license issued
 2-25 under Section 47.013;

2-26 (8) \$25 of each commercial bay shrimp boat license
 2-27 issued under Section 77.031;

2-28 (9) \$25 of each commercial bait-shrimp boat license
 2-29 issued under Section 77.033;

2-30 (10) \$25 of each commercial gulf shrimp boat license
 2-31 issued under Section 77.035;

2-32 (11) \$15 of each bait-shrimp dealer's license issued
 2-33 under Section 77.043; and

2-34 (12) revenue from any other source authorized by law.

2-35 (c) The department may accept grants and donations of money
 2-36 or materials from private or public sources to be applied to the
 2-37 commercial license buyback subaccount.

2-38 (d) Money in the commercial license buyback subaccount may
 2-39 be used only to buy back a commercial license from a willing license
 2-40 holder.

2-41 (e) The commercial license buyback subaccount is not
 2-42 subject to Section 403.095, Government Code.

2-43 SECTION 3. Section 47.081(d), Parks and Wildlife Code, is
 2-44 amended to read as follows:

2-45 (d) The department shall set aside at least 20 percent of
 2-46 the fees from licenses issued and license transfers approved under
 2-47 this subchapter [~~to be used only for the purpose of buying back~~
 2-48 ~~those licenses from a willing license holder~~]. That money shall be
 2-49 sent to the comptroller for deposit to the credit of the commercial
 2-50 license buyback subaccount in the game, fish, and water safety
 2-51 account.

2-52 SECTION 4. Section 78.111(d), Parks and Wildlife Code, is
 2-53 amended to read as follows:

2-54 (d) The department shall set aside at least 20 percent of
 2-55 the fee from commercial crab licenses and transfer fees [~~to be used~~
 2-56 ~~only for the purpose of buying back commercial crab licenses from a~~
 2-57 ~~willing license holder~~]. That money shall be sent to the
 2-58 comptroller for deposit to the credit of the commercial license
 2-59 buyback subaccount in the game, fish, and water safety account.

2-60 SECTION 5. The following provisions of the Parks and
 2-61 Wildlife Code are repealed:

2-62 (1) Sections 47.081(e) and (f);

2-63 (2) Section 77.120; and

2-64 (3) Sections 78.111(e) and (f).

2-65 SECTION 6. On September 1, 2017, the shrimp license buyback
 2-66 account is abolished and the comptroller of public accounts shall
 2-67 transfer the unencumbered balance of the account to the commercial
 2-68 license buyback subaccount created under Section 47.041, Parks and
 2-69 Wildlife Code, as added by this Act.

3-1 SECTION 7. This Act takes effect September 1, 2017.

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